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September 3, 2024

BY ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
KaplanNYSDChambers@nysd.uscourts.gov

Re: *In re Customs and Tax Administration of the Kingdom of Denmark
(Skatteforvaltningen) Tax Refund Scheme Litigation, 18-md-2865 (LAK)*¹

Dear Judge Kaplan:

Plaintiff Skatteforvaltningen (“SKAT”) respectfully submits this letter motion to seal Exhibit 10 to the contemporaneously filed Declaration of Marc A. Weinstein in support of SKAT’s Opposition to Defendants’ Motion *In Limine* to Exclude Evidence and Argument Concerning Extraterritorial Civil and Criminal Proceedings, dated September 3, 2024.

A third party designated Exhibit 10 to the Weinstein Declaration as “Highly Confidential” pursuant to the Revised Amended Stipulated Protective Order Governing Confidentiality of Discovery Materials in this multi-district litigation (No. 18-md-2865, ECF No. 489). Under paragraph 15 of the Stipulated Protective Order, SKAT is thus required to file these discovery materials under seal absent the producing party’s agreement to withdraw its confidentiality designations.

On August 29, 2024, SKAT asked the third party whether it intends to maintain its confidentiality designations for Exhibit 10, to which it responded it did with respect to the name of one individual. Accordingly, SKAT seeks to redact those portions of the exhibit at the request of the party who produced them. Under the Court’s Individual Rules of Practice, “[w]hen a party

1. This letter motion to seal relates to the Trial One cases.

seeks leave to file sealed or redacted materials on the ground an opposing party or third party has requested it, that party shall notify the opposing party or third party that it must file, within three days, a letter explaining the need to seal or redact the materials.” On September 3, 2024, SKAT informed the third party of its obligation to file an explanatory letter within three days.

Respectfully submitted,

/s/ Marc A. Weinstein
Marc A. Weinstein